

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Call of the Wild Movie, LLC,

Plaintiff,

v.

Mittiel M. Tensley,

Defendant.

Civil No. 11-0139 (PJS/JJG)

**PRETRIAL
SCHEDULING ORDER**

Pursuant to Rule 16 of the Federal Rules of Civil Procedure and the Local Rules of this Court, and in order to secure the just, speedy and inexpensive determination of this action, the following schedule shall govern these proceedings. This schedule may be modified only upon formal motion and a showing of good cause as required by Local Rule 16.3.

DISCOVERY SCHEDULE/DEADLINES

1. All pre-discovery disclosures required by Rule 26(a)(1) shall be completed on or before **May 2, 2011**.
2. Fact discovery shall be commenced in time to be completed on or before **November 1, 2011**.

DISCOVERY LIMITATIONS

1. No more than a total of **twenty-five (25) interrogatories**, counted in accordance with Rule 33(a), shall be served by each side. No more than **thirty (30) document requests** and no more than **thirty (30) requests for admissions** shall be served by each side.
2. No more than **five (5) depositions**, excluding expert witness depositions, shall be taken by either side.

EXPERTS

1. Each side may call up to **two (2)** expert witnesses. Accordingly, each party may take one deposition per expert.
2. Disclosure of the identity of expert witnesses under Rule 26(a)(2)(A) and the full disclosures required by Rule 26 (a)(2)(B), accompanied by the written report prepared and signed by the expert witness, shall be made as follows:

Identification by Plaintiff on or before **August 1, 2011.**

Report by Plaintiff on or before **September 1, 2011.**

Identification by Defendant on or before **September 15, 2011.**

Report by Defendant on or before **October 3, 2011.**

3. Expert discovery, including depositions, shall be completed by **November 1, 2011.**

NON-DISPOSITIVE MOTIONS

All non-dispositive motions shall be scheduled, filed and served in compliance with the Electronic Case Filing Procedures for the District of Minnesota, with Local Rules 7.1 and 37.1, **and in the form prescribed by Local Rule 37.2.** The “Meet and Confer” requirement should include attempts to do so through personal contact, rather than solely through correspondence. All non-dispositive motions shall be scheduled for hearing by calling Judith Kirby, Judicial Assistant to Magistrate Judge Graham, at (651) 848-1890, prior to filing, except when all parties are in agreement that no hearing is required. Such an agreement shall be expressly set forth in the notice of motion.

1. All motions which seek to amend the pleadings or to add parties must be filed and served on or before **July 1, 2011.**
2. Non-dispositive motions and supporting documents, including those which relate to fact discovery, shall be filed and served on or before **November 15, 2011.**

3. Motions which seek to amend the pleadings to include punitive damages, if applicable, must be filed and served on or before **November 15, 2011**.
4. All non-dispositive motions and supporting documents which relate to expert discovery shall be filed and served on or before **November 15, 2011**.
5. Counsel are advised not to notice additional motions for hearing on an already existing hearing date without first contacting the Court for permission to do so. All motions must be filed and served within the time periods set forth in the local rules.

INFORMAL DISPUTE RESOLUTION (IDR)

Prior to scheduling any non-dispositive motion, parties should consider whether the motion can be informally resolved through Informal Dispute Resolution (IDR). There is no transcript or other recording of IDR proceedings. Therefore, all parties should be in agreement to participate in IDR and the Court will first determine whether the matter may be handled informally. The “moving party” shall electronically file a letter representing that the parties wish to engage in IDR and setting forth the well-defined issue to be resolved. If it is determined that IDR may be used, the parties will be contacted by the Court to schedule a telephone conference and allow for position letters to be filed by each party.

For leave to proceed in a manner other than that outlined above, the requesting party shall electronically file a letter setting forth the specific request.

DISPOSITIVE MOTIONS

All dispositive motions (notice of motion, motion, memorandum of law, affidavits and proposed order) must be served, filed and **HEARD** by **January 2, 2012**. Dispositive motions may be scheduled for a hearing by calling **Sherry Fast**, Calendar Clerk to the

Honorable Patrick J. Schiltz, at **(612) 664-5483**. Parties are reminded that the scheduling of a dispositive motion requires considerable advance notice (typically three to four months). Parties should attempt to schedule all dispositive motions for the same hearing and should strive to avoid duplication in their briefing.

All dispositive motions must be scheduled, filed and served in compliance with the Electronic Case Filing Procedures for the District of Minnesota and in compliance with Local Rule 7.1. When a motion, response or reply brief is filed on CM/ECF, two (2) paper courtesy copies (three-hole punched and unstapled (and, if warranted, appropriately tabbed)) of the pleading and all supporting documents shall be mailed or delivered to Ms. Fast, contemporaneously with the documents being posted on CM/ECF.

TRIAL

This case shall be ready for a **jury** trial on **April 17, 2012**. The anticipated length of trial is **two (2)** days.

Dated: April 11, 2011

s/ Jeanne J. Graham
JEANNE J. GRAHAM
United States Magistrate Judge